REMARKS

This is a response to the Office Action dated November 17, 2006. Claims 1-7, 11-13, 16-24, and 26-43 are pending in the application. Claims 1-7, 11-13, 16-24, and 26-43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Application Publication No. 2002/0083067 to Tamayo et al. in view of U.S. Application Publication No. 2003/0018514 to Billet et al. ("Billet et al."). With this response, claims 1, 11, 16, and 38 have been amended for clarity and not for reasons related to patentability. No new matter has been added. Applicants respectfully submit that each of the pending claims is in condition for allowance.

REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1-7, 11-13, 16-24, and 26-43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tamayo et al. in view of Billet et al. Applicants respectfully submit that the Tamayo et al. and Billet et al., alone or in combination, fail to disclose all of the elements of these claims.

A. Independent Claims 1, 11, 16, and 38

Independent claims 1 and 11, as amended, relate to methods of generating "a prediction of aggregate behavior of [a] population" and independent claims 16 and 38, as amended, relate to methods of generating "a prediction of the measure of aggregate economic activity by [a] population" and "a predicted measure of economic activity by [a] population," respectively. Applicants respectfully submit that Tayamo et al. and Billet et al., either alone or in combination, fail to teach or suggest a system that predicts aggregate behavior or economic activity of a population.

The Office Action explicitly notes that Tayamo et al. does not expressly disclose predicting aggregate behavior or economic activity, or in other words, an aggregate prediction. See Office Action at p. 3, 6, and 12. Instead, the Office Action alleges that Billet et al. describes predicting aggregate behavior. Specifically, the Office Action claims that paragraphs 146 and 147 of Billet et al. describe forecasting the behavior of a group of customers at an e-commerce site. See Office Action at p. 3, 6, and 12. This is untrue. Although the system of Billet et al. teaches *analyzing* data from multiple users, the system makes a prediction for *a single customer*, which is not an aggregate prediction of a population.

For example, Billet et al. notes that, "By *tracking purchasing patterns for individual customers and groups of customers*, and generating suitable NSS indicators, the system can predict with surprising accuracy *a given customer's purchases or interests* over a future time period. This allows vendors to present to *a customer* the particular types of goods and services that the customer is interested in purchasing, at the particular time that the interest is ripe." Billet et al., ¶ 146 (emphasis added). Billet et al. similarly explains that, "In electronic and other retailing, especially at e-commerce sites, *large amounts of data is accessible regarding the interests and buying habits of individual and groups of customers*. The amount of data, in fact, is so considerable that it exceeds the ability of existing techniques to process it effectively. *The present system can* apply a set of numeric sequence strands to such data to generate relatively reliable predictions of what *an individual customer* is likely to purchase during a given period of time in the future and the probable volume of his purchases." Billet et al., ¶ 147 (emphasis added). Because the system of Billet et al. only describes making predictions for a single user, not a population, it does not disclose predicting aggregate behavior or aggregate economic activity of a population. In contrast, Applicants claims recite methods for predicting aggregate behavior and aggregate economic activity of a population. Therefore, neither Tamayo et al. nor Billet et al., either alone or in combination, teach or suggest a system that predicts aggregate behavior or aggregate economic activity of a population.

For at least these reasons, independent claims 1, 11, 16, and 38 are patentable over the combination of Tamayo et al. and Billet et al. Accordingly, Applicants request that these rejections of independent claims 1, 11, 16, and 38 be withdrawn.

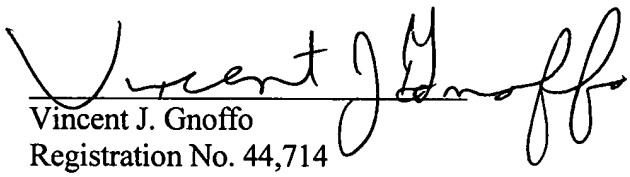
B. Dependent Claims

Dependent Claims 2-7, 12-13, 17-24, 26-37, and 39-43 also stand rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over the combination of Tamayo et al. and Billet et al. Dependent claims 2-7, 12-13, 17-24, 26-37, and 39-43 depend, either directly or indirectly, from independent claims 1, 11, 16, and 38 and should be allowed for the reasons set out above for the independent claims. Applicants therefore similarly request that these rejections of these claims be withdrawn.

CONCLUSION

Applicants respectfully submit that the pending claims are in condition for allowance and request the Examiner grant early allowance thereof. The Examiner is invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,



Vincent J. Gnoffo
Registration No. 44,714
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200